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CONSTITUTIONAL LAW — SEPARATION OF POWERS — CONSTITUTIONALITY OF INDETERMINATE SENTENCE ACTS. — The defendant was convicted under a statute providing that for certain crimes the court should not sentence the prisoner to a definite term, but that he should serve not less than one year, nor more than the maximum penalty for that crime. A board of pardons was empowered to advise the governor to pardon the prisoner at any time after the minimum term had been served. *Held*, that this statute is constitutional. *People v. Joyce*, 92 N. E. 607 (Ill.).

It is urged against the constitutionality of such statutes that they interfere with the powers of the judiciary by depriving the courts of the right to fix the exact punishment, and conferring this right on a board which is not judicial. *People v. Cummings*, 88 Mich. 249; *In re Conditional Discharge of Convicts*, 73 Vt. 414. But the legislature may set an exact penalty for any crime, and here it has set the maximum period, for which the courts are to sentence the defendant. *People ex rel. Clark v. The Warden of Sing Sing Prison*, 39 N. Y. Misc. 113; *State v. Duff*, 122 N. W. 829 (Ia.). The board is merely an agency empowered to pardon the prisoner at an earlier date, a privilege always allowed to some body other than the courts. As the governor is free to refuse a pardon, or to pardon on his own initiative, his constitutional rights are not infringed. *Rich v. Chamberlain*, 104 Mich. 436. *Cf. State ex rel. Bishop v. State Board of Corrections*, 16 Utah, 478. The great objection to these statutes is that the court which tried the case is better prepared to exercise clemency, if that is desirable, than a board dependent mainly on hearsay evidence. *People v. Cummings, supra*. But this is an argument to be addressed to the legislature. By the decided weight of authority such statutes are held to be constitutional. *George v. People*, 167 Ill. 447; *Miller v. State*, 149 Ind. 607.

CONSTITUTIONAL LAW — SEPARATION OF POWERS — FEDERAL POWERS OF STATE "LEGISLATURE." — The constitution of South Dakota, Art. III, § 1, provided that five per cent of the voters could "require that any laws which the legislature may have enacted shall be submitted to a vote of the electors . . . before going into effect." The state legislature passed a statute establishing Congressional districts. A referendum petition was filed as to that act. The relator sought to have his nomination papers filed under the act. *Held*, that he is not entitled to do so since the act is not in force. *State ex rel. Schraeder v. Polley*, 127 N. W. 848 (S. D.). See NOTES, p. 220.

CORPORATIONS — NATURE OF CORPORATION — LICENSE TO ASSIGN LEASE TO A "RESPECTABLE AND RESPONSIBLE PERSON." — A lease of a livery stable contained a covenant not to assign without the lessor's consent; but such consent was not to be withheld in respect of "a respectable and responsible person." Permission to assign to a corporation was asked and refused; but the assignment was made. In an action brought by the lessor to have the lease declared forfeited, the question was whether a corporation could be within the description in the lease. *Held*, that a corporation may be "a respectable and responsible person." *Willmott v. London Road Car Co.*, 45 L. J. 666 (Eng., Ct. App., Oct. 13, 1910).

In legal meaning, the term "person" usually embraces corporations. As used in the Fourteenth Amendment it is so construed. See *Pembina Consolidated Silver Mining and Milling Co. v. Pennsylvania*, 125 U. S. 181. Unless a contrary intention on the part of the legislature appears, statutes receive this construction. See *Pharmaceutical Society v. London and Provincial Supply Association*, 5 App. Cas. 857, 869. So in a will a power to lease "to any person" covers a letting to a corporation. *In re Jeffcock's Trusts*, 51 L. J. Ch. 507. The question then becomes whether a corporation may be described as "respectable." The adjective invariably derives significance from the context. The